

Mr Jenkins
Wildern Architecture Ltd
Middle House
3 Sampan Close
Warsash
Southampton
SO31 9BU

For: Mr Shaw

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015**

Grant of Planning Permission

Application Number: APP/20/00276

Site Address: Garage blocks, Willowdene Close, Havant

Proposal: Proposed change of use, conversion and extensions, including first floor addition to block B, of existing garage blocks to create 2No. three bedroom detached dwellings with associated car parking, bin and bike storage, reconfiguration of existing vehicular access, new gate and new fencing and boundary treatments.

Further to your application received on 03 April 2020, which was valid from 07 April 2020 Havant Borough Council, as Local Planning Authority **Grants Planning Permission** for the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design & Access Statement by Wildern Architecture Ltd March 2020
Main Investigation Report Reference: 18189/MIR dated March 2020 by Soils Ltd
Site Location Plan 1:1250

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Reason: - To ensure provision of a satisfactory development.

- 3 Neither of the 2 dwellings hereby permitted shall be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within each dwelling, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste efficiency calculation must be installed before first occupation of each dwelling and retained thereafter;
 - b) A mitigation package addressing the additional nutrient input arising from each dwelling has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy E14 of the Pre-Submission Havant Borough Local Plan 2036.

- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings and the block paving areas, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no enlargement, extension or roof alteration shall be constructed or made to the hereby approved dwellings, without the prior approval of the Local Planning Authority.

Reason: To protect neighbouring amenity and to ensure adequate provision of on site amenity area for future occupiers, as the unique design and layout of these

dwelling does not lend itself to further extensions, and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The car parking, refuse collection, servicing and other vehicular access arrangements shown on the approved plans to serve each of the hereby approved dwellings shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 The garage hereby permitted to serve Block B shall be retained and kept available for the parking of cars at all times and shall not be converted to living accommodation.

Reason: To ensure the retention of adequate on-site car parking in accordance with the adopted Parking SPD 2016 and policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and to discourage parking on the adjoining highway in the interests of highway safety and local amenity.

- 8 Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

1) An intrusive site investigation to complement the Soils Limited Main Investigation Report ref; 18189/MIR; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupiers of the development.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
- clearly defined proposals for mitigation of the identified risks.

3) A verification plan providing details of the information that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future occupants of the development. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 9 Prior to the occupation of any relevant part of the hereby permitted development, any verification report required in accordance with condition 8 shall be submitted to and approved in writing by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan and must demonstrate that site remediation criteria have been met.

Reason: Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future occupants of the development. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework.

- 10 No piling shall take place on site unless and until a piling risk assessment and method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, vibration and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Portsmouth Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling or any other foundation designs using penetrative methods has the potential to impact Public Water Supply and therefore the applicant is advised to contact Portsmouth Water to discuss the details of any piling method statement, having regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Construction of the development hereby permitted shall not commence until:

a) Details of the proposed means of surface water disposal and any SUDs have been submitted to, and approved in writing by, the Local Planning Authority. There should be a presumption against disposal by means of infiltration drainage unless compatible with the contamination assessment 'site conceptual model' & remedial / risk mitigation scheme.

b) Plans and particulars specifying the measures to protect the existing drainage apparatus have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage connections and proposals in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: Use of infiltration drainage may impact exposure to contaminants and to safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014 the National Planning Policy Framework.

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pcs.
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.
- (4) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit, additional information requested and forthcoming, making your proposal acceptable.
- (5) A formal application for connection to the public sewerage system is required in order to service this development. Please read Southern Water's New Connections Services Charging Arrangements documents which have now been published and is available to read on their website via the following link southernwater.co.uk/infrastructure-charges

You are also advised that no development or tree planting should be carried out within 3m of the external edge of the public gravity sewer without consent from Southern Water and you are referred to Southern Waters guide to tree planting near water mains.

You are also required to apply to Southern Water for

1. A S185 application to remove the abandoned surface water sewer; and
2. A S106 application to connect to the active nearby surface water sewer

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- (6) You are hereby requested to ensure that no works or ancillary operations associated with any demolition, excavation, clearance and construction works at the development, which are audible at the site boundary, shall take place on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:
Monday to Friday: 08.00 - 18.00 and Saturday: 08:00 - 13.00.
This is in order to protect the occupants of nearby residential properties from noise and vibration nuisance
- (7) You are hereby requested to ensure that no bonfires take place on this site, during any phase of the operation i.e. demolition, excavation, clearance and construction works. If you feel you have a legitimate reason for a bonfire, it is recommended you enquire with the Environmental Health Pollution team, at Havant Borough Council, prior to taking this action.
This is in order to protect the occupants of nearby residential properties from smoke pollution.
- (8) You are hereby requested to ensure that the Environmental Health Pollution team, at Havant Borough Council are advised in writing as to what measures are to be put in place for the control of any dust that might emanate from the development site.
This is in order to protect the occupants of nearby residential properties from dust pollution.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

19 June 2020

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571